

Notice of Allowability	Application No.	Applicant(s)	
	09/703,357	BANAUGH ET AL.	
	Examiner	Art Unit	
	Hani Kazimi	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 11/07/06.
2. The allowed claim(s) is/are 1-8, 10-16, 18-42, 44-50 and 52-68.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/7/06
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Allowable Subject Matter

Claims 1-8, 10-16, 18-42, 44-50 and 52-68 are allowed.

The best prior art of record, US 6,029,150 *Kravitz* neither discloses nor fairly suggests limitations recited in claims 1-8, 10-16, and 18-34. These limitations include apparatus elements to provide functionalities as specifically set forth directly below in the discussion of Claims 35-42, 44-50 and 52-68.

The following is an examiner's statement of reasons for allowance: The best prior art of record, US 6,029,150 *Kravitz* neither discloses nor fairly suggests limitations recited in claims 35-42, 44-50 and 52-68. These limitations include method steps wherein (1) a first transaction message from a merchant comprising source and order identifiers are sent to an enterprise decision engine, (2) responsive to the first transaction message, the decision engine authenticates, reports suspicious activity and creates a decisioning solution which is sent to the merchant (3) responsive to the decisioning solution, a second message is sent from the merchant to the decision engine (4) responsive to receipt of the second message, a third message is created in NACHA format if the second transaction message is based on an electronic check or in an FDMS format if the second transaction message is based on a credit card, and (5) responsive to the second transaction message, said decision engine determines and indicates approval for shipment by said merchant using risk analysis and guaranteeing payment to the merchant and insurance against fraud after shipment. Individual elements of these Claims were found but no prior art was identified which disclosed or reasonably suggested a combination of prior art elements to one of ordinary skill in the payment arts.

Any comments considered necessary by applicant must be submitted no later than the

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payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are cited for their general teachings in the environment of payment processing.

US 2006/0010070 A1	Banaugh et al.	01-2006
US 2006/0089906 A1	Rowley	04-2006
US 2006/0074799 A1	Averyt et al.	04-2006
JP02002157537A	Kondo	05-2002

Electronic Payment Systems, Artech House, Inc., 1997. pp. 61-83.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kyle whose telephone number is (571) 272-6746. The examiner can normally be reached on 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HANI M. KAZIMI
PRIMARY EXAMINER

Examiner's Amendment

Authorization for this examiner's amendment was given in a telephone interview with Julia Thomas on May 25, 2006.

1. (currently amended) An apparatus ~~for providing~~ that provides a decisioning solution to a merchant, wherein said merchant accepts Internet transactions from participating parties[[],] and ~~for facilitating~~ that facilitates processing of payments between said participating parties and said merchant, comprising:

means for said merchant receiving from at least one participating party of said participating parties at least one Internet transaction on a Web page of said merchant, ~~wherein said merchant's Web page is communicatively coupled to a decision engine by a message unit architecture;~~

responsive to receiving said at least one Internet transaction, means for said merchant's Web page ~~using said message unit architecture to submit said Internet transaction processing said at least one Internet transaction that creates a first transaction message in a predetermined format that comprises an embedded source ID and order ID and sending said message to said communicatively coupled an enterprise decision engine;~~

responsive to receiving said ~~at least one Internet transaction first transaction message,~~ means for said enterprise decision engine performing:

~~means for authenticating~~ said at least one participating party;

~~means for reporting~~ to said merchant suspicious activity by any of said at least one participating party; and

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~~means for creating and~~ providing a decisioning solution to said merchant, wherein said decisioning solution indicates clearance to said merchant to transact with said at least one participating party and wherein said decisioning solution is based on a determined risk of said at least one participating party; and

~~means for said merchant, responsive to receiving said decisioning solution, means for said merchant from said enterprise decision engine, performing any of:~~ electronically transferring funds between said at least one participating party and said merchant, said electronically transferring funds using said message unit architecture, wherein a message unit of said message unit architecture for transfer of funds comprises, but is by no means limited to, sending to said enterprise decision engine a second transaction message in said predetermined format comprising ~~said source ID and said order ID[[],]~~ and, if available, purchase information data, seller information data, shipping data information data, auction information data, buyer entered data, source generated data, client maintained data, buyer data, and additional credit card processing information data[[],];

~~wherein responsive to receiving said second transaction message, means for said enterprise decisioning engine is communicatively coupled to any of: processing said second transaction message and creating a third transaction message an automated clearing house (ACH) for when said transfer of funds is based on an electronic check and a first data merchant service (FDMS) for when said transfer of funds is based on a credit card, and wherein said message unit comprises data that is formatted into any of: in a NACHA format for when said transfer of funds second transaction message is based on an electronic check and sending said NACHA formatted message to an associated automated clearing house (ACH) and in an FDMS format for when said~~

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transfer of funds second transaction message is based on a credit card and sending said FDMA FDMS formatted message to a first data merchant service (FDMS);

handling exceptions between said at least one participating party and said merchant, comprising means for said merchant processing a refund and subsequent ACH credit through said message unit architecture, comprising for each transaction to be refunded, inputting an associated order ID to identify said transaction and to display status of said transaction, original transaction amount, and transaction balance;

processing and reconciling said funds using said message unit architecture, wherein data for each transaction ready to settle and for each return comprises order ID for identifying said each transaction; and

means for said enterprise decision engine, responsive to receiving said second transaction message, said decision engine determining and indicating approval for shipment of goods and services by said merchant using risk analysis and guaranteeing payment to the merchant after shipment of goods and services and insurance against fraud after shipment of goods[.];

means for said merchant, when desired, said merchant initiating and processing a refund and subsequent ACH credit using said order ID to identify said at least one Internet transaction to confirm correct transaction; and

means for said merchant, when desired, said merchant initiating and processing a return and subsequent FDMA credit using said order ID to identify said at least one Internet transaction to confirm correct transaction.

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2. (previously presented) The apparatus of Claim 1, wherein said participating parties comprise at least one seller or at least one buyer.

3. (original) The apparatus of Claim 1, wherein said participating parties comprise consumers and businesses, and wherein said means for electronic transfer of funds is between any of, but not limited to:

at least one consumer and at least one consumer;

at least one consumer and at least one business; and

at least one business and at least one business.

4. (previously presented) The apparatus of Claim 1, wherein means for authentication of parties further comprises means for performing a predetermined number of seconds online decisioning, thereby authenticating said Internet transactions.

5. (previously presented) The apparatus of Claim 1, wherein said authenticating said at least one participating party comprises storing registration information to be used at a later time.

6. (original) The apparatus of Claim 1, wherein said means for authentication comprises protected information.

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7. (original) The apparatus of Claim 6, wherein said protected information comprises encrypted information.

8. (original) The apparatus of Claim 1, wherein means for handling exceptions further comprises returned item processing, and wherein said payments processing uses electronic checks.

9. (canceled)

10. (currently amended) The apparatus of Claim 2, wherein ~~means for handling exceptions further comprises a process, whereby said at least one seller initiates a reversal.~~

11. (currently amended) The apparatus of Claim 1, ~~wherein means for reconciling funds further comprises means for disbursing some of said funds for approved transactions of said at least one Internet transaction[[s]].~~

12. (currently amended) The apparatus of Claim 1, ~~wherein means for reconciling funds further comprises international disbursements of some of funds using international currencies.~~

13. (original) The apparatus of Claim 12, wherein a disbursement of said international disbursement is for Canadian transactions of said Internet transactions.

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14. (currently amended) The apparatus of Claim 1, ~~wherein means for reconciling funds further comprises~~ means for real-time debiting of some of said funds for electronic check transactions.

15. (original) The apparatus of Claim 14, further comprising means for guaranteed hold on funds.

16. (currently amended) The apparatus of Claim 1, ~~wherein means for interfacing with said merchant's Web page further comprises~~ comprising: means for sending to said merchant's Web page results from a predetermined number of seconds decisioning process, said decisioning process for a registration process, and said decisioning process for credit card and electronic check transactions.

17. (canceled)

18. (currently amended) The apparatus of Claim 1, ~~wherein means for interfacing with said merchant's Web page further comprises~~ further comprising: batch processing ~~architecture~~ for timely processing of transactional level reconciliation information.

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19. (original) The apparatus of Claim 18, wherein said transactional level reconciliation information comprises originations and exception items.

20. (currently amended) The apparatus of Claim 1, ~~wherein means for interfacing with said merchant's Web page, further comprises further comprising:~~

means for accepting domestic and international payments for both credit card and electronic check transactions of said Internet transactions.

21. (currently amended) The apparatus of Claim 1, ~~wherein further comprising means for interfacing with said merchant's Web page uses either of, but is not limited to, by personal computer or wireless technology.~~

22. (previously presented) The apparatus of Claim 1, wherein means for reporting suspicious activity to said merchant, further comprises:

means for conducting additional corresponding decisioning and intra-day fraud-screening.

23. (previously presented) The apparatus of Claim 1, wherein means for reporting suspicious activity to said merchant, further comprises:

alert reports on said suspicious activity.

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24. (previously presented) The apparatus of Claim 1, wherein means for

reporting suspicious activity to said merchant, further comprises:

a process to initiate transaction reversals, wherein reversals are due to, but not limited to, fraud.

25. (original) The apparatus of Claim 2, wherein means for determining and

indicating to said at least one seller approval for shipment of goods and services by said

merchant, further comprises:

means for performing risk analysis on, but not limited to, said at least one buyer or said at least one seller for said decisioning solution.

26. (original) The apparatus of Claim 2, wherein means for determining and

indicating to said at least one seller approval for shipment of goods and services by said

merchant, further comprises:

means for controlling loss exposure for said merchant.

27. (original) The apparatus of Claim 2, wherein means for determining and

indicating to said at least one seller approval for shipment of goods and services by said

merchant, further comprises:

means for identifying risk parameters for velocity and for identifying spending limits on said transactions for said merchant.

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28. (original) The apparatus of Claim 2, wherein means for determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

means for guaranteeing a payment to said merchant after said shipment of goods and services; and

means for providing insurance against fraud after said shipment of goods and services.

29. (original) The apparatus of Claim 2, wherein means for determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

means for guaranteeing said shipment of goods and services from said merchant to said at least one buyer; and

means for providing insurance against fraud after a payment.

30. (previously presented) The apparatus of Claim 2, wherein means for providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

means for performing a predetermined number of seconds online decisioning.

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31. (previously presented) The apparatus of Claim 2, wherein means for providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

means for performing additional intra-day fraud-screening.

32. (original) The apparatus of Claim 2, wherein means for providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

means for dynamically providing decision criteria updates for said decisioning solution as knowledge of said transactions is gained.

33. (original) The apparatus of Claim 2, wherein means for providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

means for storing data of said transactions, said data to be used for providing future decisioning solutions.

34. (previously presented) The apparatus of Claim 25, wherein means for performing risk analysis further comprises:

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means for using risk management criteria for any of determining, quantifying, and qualifying risk of potential buyers and sellers, and wherein any of amounts of transactions, suspicious personal information of buyer or seller, behavior of buyer or seller, conventional statistical information and mode of operations are determined.

35. (currently amended) A method ~~for providing that provides~~ a decisioning solution to a merchant, wherein said merchant accepts Internet transactions from participating parties~~[,]~~ and ~~for facilitating that facilitates~~ processing of payments between said participating parties and said merchant, comprising:

said merchant receiving from at least one participating party of said participating parties at least one Internet transaction on a Web page of said merchant, ~~wherein said merchant's Web page is communicatively coupled to a decision engine by a message unit architecture;~~

responsive to receiving said at least one Internet transaction, said merchant's Web page ~~using said message unit architecture to submit said Internet transaction processing said at least one Internet transaction that creates a first transaction message in a predetermined format that comprises an embedded source ID and order ID and sending said message to said communicatively coupled an enterprise~~ decision engine;

responsive to receiving said at least one Internet transaction ~~first transaction message, said enterprise~~ decision engine performing:

authenticating said at least one participating party;
reporting to said merchant suspicious activity by any of said at least one participating party; and

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creating and providing a decisioning solution to said merchant, wherein said decisioning solution indicates clearance to said merchant to transact with said at least one participating party and wherein said decisioning solution is based on a determined risk of said at least one participating party; and

responsive to receiving said decisioning solution from said enterprise decision engine, said merchant performing any of: electronically transferring funds between said at least one participating party and said merchant, said electronically transferring funds using said message unit architecture, wherein a message unit of said message unit architecture for transfer of funds comprises, but is by no means limited to, sending to said enterprise decision engine a second transaction message in said predetermined format comprising said source ID and said order ID[.] and, if available, purchase information data, seller information data, shipping data information data, auction information data, buyer entered data, source generated data, client maintained data, buyer data, and additional credit card processing information data[.]];

wherein responsive to receiving said second transaction message said enterprise decisioning engine is communicatively coupled to any of: processing said second transaction message and creating a third transaction message an automated clearing house (ACH) for when said transfer of funds is based on an electronic check and a first data merchant service (FDMS) for when said transfer of funds is based on a credit card, and wherein said message unit comprises data that is formatted into any of: in a NACHA format for when said transfer of funds second transaction message is based on an electronic check and sending said NACHA formatted message to an associated automated clearing house (ACH) and in an FDMS format for when said

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~~transfer of funds second transaction message is based on a credit card and sending said FDMA FDMS formatted message to a first data merchant service (FDMS);~~

~~handling exceptions between said at least one participating party and said merchant, comprising means for said merchant processing a refund and subsequent ACH credit through said message unit architecture, comprising for each transaction to be refunded, inputting an associated order ID to identify said transaction and to display status of said transaction, original transaction amount, and transaction balance;~~

~~processing and reconciling said funds using said message unit architecture, wherein data for each transaction ready to settle and for each return comprises order ID for identifying said each transaction; and~~

~~responsive to receiving said second transaction message, said enterprise decision engine determining and indicating approval for shipment of goods and services by said merchant using risk analysis and guaranteeing payment to the merchant after shipment of goods and services and insurance against fraud after shipment of goods[.]);~~

~~when desired said merchant initiating and processing a refund and subsequent ACH credit using said order ID to identify said at least one Internet transaction to confirm correct transaction; and~~

~~when desired said merchant initiating and processing a return and subsequent FDMA FDMS credit using said order ID to identify said at least one Internet transaction to confirm correct transaction.~~

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36. (previously presented) The method of Claim 35, wherein said participating parties comprise at least one seller or at least one buyer.

37. (original) The method of Claim 35, wherein said participating parties comprise consumers and businesses, and wherein said means for electronic transferring of funds is between any of, but not limited to:

at least one consumer and at least one consumer;

at least one consumer and at least one business; and

at least one business and at least one business.

38. (previously presented) The method of Claim 35, wherein authenticating parties further comprises performing a predetermined number of seconds online decisioning, thereby authenticating said Internet transactions.

39. (previously presented) The method of Claim 35, wherein said authenticating said at least one participating party comprises storing registration information to be used at a later time.

40. (original) The method of Claim 35, wherein authenticating parties uses protected information.

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41. (original) The method of Claim 40, wherein said protected information comprises encrypted information.

42. (original) The method of Claim 35, wherein handling exceptions further comprises returned item processing, and wherein said payments processing uses electronic checks.

43. (canceled)

44. (currently amended) The method of Claim 36, wherein ~~handling exceptions further comprises a process, whereby said~~ at least one seller initiates a reversal.

45. (currently amended) The method of Claim 35, ~~wherein reconciling funds further comprises~~ means for disbursing some of said funds for approved transactions of said at least one Internet transaction[[s]].

46. (currently amended) The method of Claim 35, ~~wherein reconciling funds further comprises~~ providing international disbursements of some of funds using international currencies.

47. (original) The method of Claim 46, wherein a disbursement of said international disbursement is for Canadian transactions of said Internet transactions.

48. (currently amended) The method of Claim 35, ~~wherein reconciling funds further comprises~~ ~~means for real-time debiting of some of said funds for electronic check transactions.~~

49. (original) The method of Claim 48, further comprising guaranteeing hold on funds.

50. (currently amended) The method of Claim 35, ~~wherein interfacing with said merchant's Web page further comprises further comprising:~~

sending to said merchant's Web page results from a predetermined number of seconds decisioning process, said decisioning process for a registration process, and said decisioning process for credit card and electronic check transactions.

51. (canceled)

52. (currently amended) The method of Claim 35, ~~wherein means for interfacing with said merchant's Web page further comprises further comprising:~~

~~providing batch processing architecture for timely processing of transactional level reconciliation information.~~

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53. (original) The method of Claim 52, wherein said transactional level reconciliation information comprises originations and exception items.

54. (currently amended) The method of Claim 35, ~~wherein interfacing with said merchant's Web page, further comprises further comprising:~~

accepting domestic and international payments for both credit card and electronic check transactions of said Internet transactions.

55. (currently amended) The method of Claim 35, ~~wherein further comprising~~ interfacing with said merchant's Web page ~~uses either of, but is not limited to,~~ ~~by~~ personal computer or wireless technology.

56. (previously presented) The method of Claim 35, wherein reporting suspicious activity to said merchant, further comprises:

conducting additional corresponding decisioning and Intraday fraud-screening.

57. (previously presented) The method of Claim 35, wherein reporting suspicious activity to said merchant, further comprises:

providing alert reports on said suspicious activity.

58. (previously presented) The method of Claim 35, wherein reporting suspicious activity to said merchant, further comprises:

providing a process to initiate transaction reversals, wherein reversals are due to, but not limited to, fraud.

59. (original) The method of Claim 36, wherein determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

performing risk analysis on, but not limited to, said at least one buyer or said at least one seller for said decisioning solution.

60. (original) The method of Claim 36, wherein determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

controlling loss exposure for said merchant.

61. (original) The method of Claim 36, wherein determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

identifying risk parameters for velocity and for identifying spending limits on said transactions for said merchant.

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62. (original) The method of Claim 36, wherein determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

guaranteeing a payment to said merchant after said shipment of goods and services; and

providing insurance against fraud after said shipment of goods and services.

63. (original) The method of Claim 36, wherein determining and indicating to said at least one seller approval for shipment of goods and services by said merchant, further comprises:

guaranteeing said shipment of goods and services from said merchant to said at least one buyer; and

providing insurance against fraud after a payment.

64. (previously presented) The method of Claim 36, wherein providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

performing a predetermined number of seconds online decisioning.

65. (previously presented) The method of Claim 36, wherein providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said

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merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

performing additional Intraday fraud-screening.

66. (original) The method of Claim 36, wherein providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

dynamically providing decision criteria updates for said decisioning solution as knowledge of said transactions is gained.

67. (original) The method of Claim 36, wherein providing said decisioning solution to said merchant, said decisioning solution indicating clearance to said merchant for said merchant to transact with said at least one buyer, and said decisioning solution based on a determined risk of said at least one buyer, further comprises:

storing data of said transactions, said data used for providing future decisioning solutions.

68. (previously presented) The method of Claim 59, wherein performing risk analysis further comprises:

using risk management criteria for any of determining, quantifying, and qualifying risk of potential buyers and sellers, and wherein any of amounts of transactions,

suspicious personal information of buyer or seller, behavior of buyer or seller, conventional statistical information and mode of operations are determined.